

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LAURA MURRAY,

Plaintiff,

v.

THE BOROUGH OF MOUNT OLIVER,
ACTING CHIEF OF POLICE MATTHEW
JUZWICK, MAYOR JAMES CASSIDY,
COUNCIL PRESIDENT BILLIE
MICHENER, COUNCILMAN DARNELL
SAINS, COUNCILMAN COREY
McGOUGH, and COUNCILMAN DAVID
LOWE.

Defendants.

Civil Action No. 2:13-cv-01356-DSC

JURY TRIAL DEMANDED

STIPULATION OF DISMISSAL

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff Laura Murray and Defendants The Borough of Mount Oliver, Acting Chief Of Police Matthew Juzwick, Mayor James Cassidy, Council President Billie Michener, Councilman Darnell Sains, Councilman Corey McGough, and Councilman David Lowe stipulate to the following:

1. Dismissal, without prejudice, of all claims in Plaintiff's Complaint, as asserted against the following Defendants: Acting Chief Of Police Matthew Juzwick, Mayor James Cassidy, Council President Billie Michener, Councilman Darnell Sains, Councilman Corey McGough, and Councilman David Lowe. Plaintiff and Defendants have agreed to dismiss those Defendants, leaving only the Borough of Mount Oliver ("Mt. Oliver") as a Defendant.
2. The caption shall now read: Laura Murray v. The Borough of Mt. Oliver.

3. Mt. Oliver agrees, for purposes of this lawsuit, to waive any and all arguments that it is not liable or otherwise responsible for the alleged actions of individuals actors named in the Complaint.
4. Mt. Oliver agrees to waive any and all arguments that the alleged actions of individual actors named in the Complaint were not undertaken “under color of state law” or that such actors are not “state actors” or agents of Mt. Oliver.
5. Mt. Oliver agrees that, in the event a monetary judgment is entered against Mt. Oliver, Mt. Oliver can and will satisfy that judgment.

A proposed order follows this Stipulation.

Date: October 3, 2013

/s/ Dean F. Falavolito
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